

REMARKS

Claims 17-34 were in the case with none of the claims indicated allowable. Claims 1-16 were previously cancelled. Favorable reconsideration is respectfully requested for the reasons below.

Amendments to the Claims

Claims 17 and 25 are amended to improve clarity and delete recitations, which are not believed to be needed for patentability.

Claims 17 and 25 are amended to recite that the acid dewpoint of temperature of the flue gas is lowered to *a temperature lower than the temperature of flue gas traveling through the stack*. Support for this amendment may be found, inter alia, on page 2, lines 5-7 discussing solutions provided by the instant invention.

Claim 25 is amended to recite the step of *measuring the temperature of the flue gas traveling through the stack*. Support for this amendment may be found, inter alia, on page 2, lines 5-7 discussing acid dewpoint relative to temperatures at the stack.

Claims 18, 20, 22, 26, 28, and 30 are amended to delete the recitation of *further* for clarity.

Claims 33 and 34 are amended to add the recitation *at an ESP component of the combustion system, thereby optimizing ESP function*. Support for this amendment may be found, inter alia, on page 12, lines 20-21 of the application as filed.

35 U.S.C. § 101 Rejections

Claims 17-34 were rejected under 35 U.S.C. § 101. In the interest of advancing the prosecution of the instant case, and without disclaimer, Applicant has canceled the recitations of concern. Favorable reconsideration is requested.

35 U.S.C. § 112 Rejections

Claims 17-34 were rejected under 35 U.S.C. § 112 first paragraph as failing to comply with the enablement requirement. In the interest of advancing the prosecution of the instant

case, and without disclaimer, Applicant has canceled Claims the recitations of concern.

Favorable reconsideration is requested.

Claims 17-34 were rejected under 35 U.S.C. § 112 second paragraph as being indefinite. In the interest of advancing the prosecution of the instant case, and without disclaimer, Applicant has canceled the recitations of concern. Favorable reconsideration is requested.

35 U.S.C. § 103 Rejections

(1) Claims 17-34 were rejected under 35 U.S.C. § 103 as obvious over U.S. Patent No. 4,375,949 (“Salooja”) in view of U.S. Patent No. 4,029,752 (“Cahn”), and applicant’s admitted prior art, and in further view of United States Patent No. 4,196,057 (“May”).

As noted in Applicant’s specification as filed, and further emphasized in currently amended Claims 17 and 25, Applicant’s invention is directed to *decreasing the acid dewpoint temperature of the flue gas such that it is lower than the flue-gas temperature in the stack*. Benefits provided by Applicant’s methods are discussed in the application as filed and include a new approach at corrosion control and/or visible plume reduction (see, for example, page 12, lines 5-11). In contrast, Salooja discloses that:

When the fuel contains sulfur, operation with no, or very little, excess air reduces the formation of SO₃, most of the sulfur appearing in the flue gases as SO₂ ***with a correspondingly advantageous increase in the acid dew point temperature and potential improvements for additional heat recovery***” (col. 3, lines 26-31; emphasis added).

Thus, Salooja discloses that it is beneficial to *increase* the acid dew point temperature, apparently for a different purpose, i.e., additional heat recovery. Applicant was unable to locate any disclosure or suggestion of the currently claimed invention in Salooja. Applicant further believes that, in light of Salooja’s disclosure to the contrary, one of ordinary skill in the art would have had no motivation to modify Salooja to create a method for *decreasing the acid dewpoint temperature of the flue gas such that it is lower than the flue-gas temperature in the stack*.

The Office contends that “a person of ordinary skill in the art would reasonably understand that obtaining the reduction target of the oxides in the flue gas as specified in Salooja would necessarily result in a corresponding desired dew point level [citing May col. 5, lines 38-42]”. May possibly discloses some correlation between sulfur trioxide and dewpoint, however,

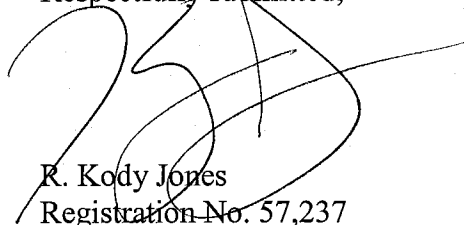
May discloses using additives to affect sulfur trioxide levels. In particular, the portion of May cited by the Office is directed to using a probe to evaluate the "effectiveness of additives", e.g., magnesium. Thus, Applicant believes that still missing is any suggestion in Salooja or May for adjusting a reducing environment in the manner claimed to *decrease the acid dewpoint temperature of the flue gas such that it is lower than the flue-gas temperature in the stack*. For at least these reasons, favorable reconsideration is requested.

Applicant respectfully notes that because Applicant has addressed certain comments of the Office does not mean that Applicant concedes other comments of the Office. Further, the fact that Applicant has made arguments for the patentability of some claims does not mean there are not other good reasons for the patentability of those or other claims.

Conclusion

Applicant submits that by this amendment, the case is placed in condition for allowance and such action is respectfully requested. If, however, if any issue remains unresolved, Applicant's attorney would welcome the opportunity for a telephone interview to expedite resolution of any outstanding issues.

Respectfully submitted,



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